

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Denise Civiletti, Councilwoman
Victor Prusinowski, Councilman
James Stark, Councilman

Site Plan Mohring Enterprises for office
 building on Route 58 Filed

Site Plan	Swezey & Newins for canopy	Filed
Open Air Show	Nassau-Suffolk Lumber Corp. for Home Show on 9/22/90	Filed

CORRESPONDENCE

S.C. Dept. of Planning	If no objection received by 8/26/90 regarding Southold Local Law #16-1990 it will be assumed there are none	Filed
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S. C. Dept. of Health	Offers comments regarding Solid Waste Management Plan	Filed
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Supervisor Janoski: "Thank you. The time for the first public hearing has not yet arrived. I will open the meeting to comment on any subject."

Rob Goldman, North Fork Environmental Council: "I would like to read a statement tonight."

The NFEC would like to make a simple and direct request to the Town Board tonight. We request that the Board pass a resolution at its next meeting on September 4th, 1990 in support of New York State's Twenty-First Century Environmental Bond Act.

The Twenty-First Century Environmental Bond Act was overwhelmingly approved by both the State Assembly and Senate. Assemblyman Sawicki and Senator LaValle both voted for the Bond Act and Senator LaValle was a cosponsor of the legislation.

The Bond Act will provide \$1.975 billion dollars for a variety of urgent needs including; \$525 million for solid waste projects of which \$280 million will go to recycling projects and market development, \$175 million for parks and historic preservation, \$201 million to maintain and upgrade state recreational and environmental facilities, \$100 million for a Hudson River Esplanade in Manhattan, \$174 million for water quality improvement projects of which \$162 million will go to upgrade sewage treatment plants, and most importantly, \$800 million for land acquisition.

Under the Bond Act there will be a new category of land acquisition vitally important to the Town of Riverhead. This new category is called "Working Landscapes". This means quite simply, farmland. Directly or through agencies like the Peconic Land Trust, the State will be able to buy development rights from farmland owners. This is very much like the current Suffolk County Program. We've listened to farmers for years telling us, 'If you want open space, buy it!' Well now we can.

There will also be ample funds available to acquire coastal areas, freshwater wetlands, and pine barrens.

Some people are saying that New York State can't afford this Bond Act, that we should wait. Let us say right now that that is

simply not true. The State will pay less than 4% interest on the Bond Act. Spread out over 10 years the cost to the taxpayer is next to nothing. Let us say that WE CAN NOT WAIT ANOTHER YEAR, ANOTHER MONTH, ANOTHER DAY IF WE ARE TO PRESERVE OUR OPEN SPACES AND OUR QUALITY OF LIFE.

The Bond Act must be passed by the voters in a referendum this November. Unqualified, official support by the Town Board in the form of a resolution would be a signal that Riverhead is serious about protecting the environment. We will, as always, see you again on September 4th."

Supervisor Janoski: "Thank you."

Warren McKnight, Wading River: "I have some letters that I got from the Department of Labor in reference to unemployment in Town.

I have a letter addressed to the Town Board and other related public officials on the state and county levels.

Based on attached unemployment statistics and data from the New York and Suffolk County Departments of Labor there is a clear need to improve the economy of Riverhead and to provide living wage employment. There is an accurate consensus among the business community that a bipartisan bureaucracy of state, county and local governments together with an out of touch environmental group that prevents safe and meaningful job development and economic growth. Instead we are building extravagant houses, empty strip shopping centers and malls while depleting spendable income.

There is an obvious need for a series of meetings of state, county and town governments together with the community to set forth a meaningful safe plan for living wage employment.

Please contact me as soon as possible as to the dates you or your spokes people can attend these meetings so we can build our communities economic base as a team.

Sincerely,
Warren F. McKnight

I have here some statistics from the Department of Labor, Suffolk County and State saying that there is a 13% drop in employment on the East End and also a letter from Frank Seawick from the Department of Labor paraphrasing these statistics. Thank you."

Supervisor Janoski: "Thank you Warren. Is there anyone else wishing to address the Board?"

Reverend Williams: "My first question is: Does Millbrook Gables belong to the Town of Riverhead?"

Supervisor Janoski: "It is in the Town of Riverhead."

Reverend Williams: "Are you responsible for what goes on in Riverhead?"

Supervisor Janoski: "Well, I don't think so. I understand your question. We are responsible for law enforcement in the Town of Riverhead and therefore in Millbrook Gables."

Reverend Williams: "Thank you. I would like to know how much of the Highway Department budget is invested on my street in comparison to any other street in Riverhead?"

Supervisor Janoski: "I couldn't answer that question because I don't know. I can say that the Highway Department has a regular system of improving streets within the Town on a rotating basis and every year roads are done under that arrangement."

Reverend Williams: "Thank you."

William Kasperovich, Wading River: "As I was hurrying here, I've got a long list of items to discuss. On Hulse Landing Road about 300 feet south of Sound Avenue on the west side you've got mud all over the road. There is a large steel caterpillar sitting alongside the road where some grading was done. At the end of the day any decent contractor cleans the road off of any spillage or waste that has fallen on the public area. In Riverhead the contractors seem to think that they don't have to do this. They will get away with it and if somebody says something they'll do something, otherwise they are not going to be bothered. So I expect the Police, the Building Department, and the Highway Department there at 7:30 tomorrow morning to put these people straight. Because if that's the way they start, it's a large project, that's what we can expect from them. Year after year I have to come in here and tell you people this. I recommended that you put into the Building Department what most other areas and Towns have called road crossing. So before man starts something that involves crossing the road somebody officially is notified. Highway, Building, somebody. In Riverhead it's not done, the reputation that you can get away with it and so year after year I have to come up here and complain. And I'm not very happy to do this. Especially when I go by Wading River Manorville Road and Route 25A and find that there is a puddle there and it didn't rain today. Now when the State's contractor left the job in refurbishing the road I can personally testify that the drainage at that intersection was excellent. So we can't blame the State contractors. However, you don't have to be an engineer to see that the puddle of water is in a bad spot and in the colder weather the freezing danger exists."

Councilman Vic Prusinowski: "Bill, at the last meeting you brought up this situation and we sent the Town Engineer to review the condition that you're speaking about and he has tentatively come up with a solution to the problem and it is fixable. It involves an adjustment of the pavement. We have to repave a certain area there and we would be happy to discuss the technical side of it after the meeting, if you would like to speak to Ken. So he did go up there, following up from your comment at the last meeting."

William Kasperovich: "Is Riverhead accepting to do this work?"

Councilman Prusinowski: "It's on our road. The Engineer is typing up a report for the Town Board. But he said tonight he would be glad to discuss the specifics with you so that you can understand the basics. We are trying to alleviate that problem."

William Kasperovich: "Alright. Let's come a little closer east. The intersection of Hulse Landing Road and Sound Avenue. In the first meeting of July a gentleman by the name of Alex Hansen, informed you people of the difficulties at that intersection. To this evening the cross markings for the Stop Signs have not been touched. I bring that to your attention because you people have been notified in writing by a citizen resident and so with the ordinance that you put into the books, when such is done after so many days you are in jeopardy for any future accidents."

Councilman Prusinowski: "Bill, we responded to Mr. Hansen who sent us a follow up letter and the Superintendent of Highways and I went up there and we reviewed that situation and it will be corrected as far as the markings on the pavement. What happened was that we have to use different paint now. The State of New York will not allow us to use oil base paint. We had an ordering problem. We have to use environmentally approved paint now."

William Kasperovich: "I'm not talking about a mile of striping, I'm talking about maybe 50 feet. You can send a man with a can of paint and a paint brush and do that."

Councilman Prusinowski: "I understand that, but we have to use the approved paint. We have it in now and it is going to be corrected."

William Kasperovich: "Then tell me who is responsible for putting the markings on the road? When I went to the Post Office today the marking put on across the street from Miller's Office was moved two feet east and so when you come through the stopping point you have to peer between the building and a tree over an evergreen bush to see up the hill. Now after so much to do to get a marking there it is pulled back and is not in the place it should be. Where is our technical knowledge, where is our ability. You talk to me about quality and paint, but when they put it down they don't pay attention to the needs of the driver and the public."

Supervisor Janoski: "Bill, you know as well as I do that the Highway Superintendent is responsible for the roads and the paint placed thereon. If you like to hear yourself ask questions it is all well and good, but you are running out of time. Let me say while I have the microphone -----Bill, I am speaking----- Excuse me, -----Bill-----"

William Kasperovich: "Well my name is not George, that I can come in here and be allowed to talk for a half an hour. My name is Kasperovich and all I get is five minutes. But I talk to deaf ears, apparently when I talk to you."

Supervisor Janoski: "Bill as long as I have been Supervisor there has been a requirement in the Town that one obtain a road opening permit. That is a necessity, that is the code and as far as I know, everyone who opens a road to put anything therein must receive a permit and that's all there is to it."

William Kasperovich: "You apparently haven't understood what I said so I'll let it go at that. Maybe the other four people did."

You people the other time were talking about moving the bus stop on West Main Street. While I was shopping with our business people on Main Street, not that I spend a lot of money, but I had reason to do it at home, and I walked over to the bakery and got a cup of coffee and I figured I would walk over to the public toilet and sit down enjoy my coffee. No bench!"

Supervisor Janoski: "The bench was removed at my direction."

William Kasperovich: "Well, where does a person sit awhile they are waiting for the bus?"

Supervisor Janoski: "We hope that you do not have to wait too long, but you don't take a bus anyhow."

William Kasperovich: "But I, unlike yourself, have sympathy for the older people, or the infirmed or people that are ailing. They have to sit down. You take the bench away and you don't replace it with anything, then you are not being concerned about the public."

Supervisor Janoski: "Well unfortunately that bench was not available for that use. Bill your time is up and I thank you very much for your observations and comments, but the time has come for the public hearing. Let us note that the hour of 7:47 P.M. has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:47 P. M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:45 P.M. on Tuesday, August 23rd., 1990 to hear all interested persons who wish to be heard regarding the SPECIAL PERMIT APPLICATION OF JAMES WOODHULL FOR THE EXTENSION OF A PREEXISTING NONCONFORMING USES BY REPLACING OLD OR DAMAGED MOBILE HOMES WITH NEW MOBILE HOMES."

Supervisor Janoski: "Thank you. Is there anyone present representing Mr. Woodhull?"

Charles Cuddy, Esq.: "I represent the petitioner. This is a parcel of land that is located between Harrison Avenue and Osborne Avenue. A little bit up, north of the High School area. I would like to give you each a copy of the maps so that you can have before you what Mr. Woodhull has done and what he plans to do. This is a parcel which is approximately 35,000 square feet and it has on it at the present time six dwelling units. It has had those six dwelling units and in fact more dwelling units on it for the past forty years. The applicant wants to replace two of the dwelling units which are trailers with two new trailers. Ultimately what he is proposing is that he take two units which are approximately 350 square feet each, replace them with units that exceed 700 square feet each. He is not increasing any density, in fact what he proposes to do is one of the frame buildings that is located on the survey that you have, the one in the northeast corner, which is 20 by 16 is going to be removed from the premises. There will be one less building there. This is a parcel that has public water, has public sewer. We've gone before the Town Planning Board. We've gone before the Board of Appeals. Both of those agencies have approved this application. I would point out to you that the alternative to what Mr. Woodhull proposes is simply to do nothing. That is to leave what's there. What is there are old dilapidated trailers and he is going to at least replace two of those with decent brand new trailers so that the people living there will certainly have something more than they have now.

I would like also to place before you copies of both the ZBA Approval and the Planning Board Approval. In closing I would just like to read the findings of the Zoning Board of Appeals. It says, 'The appeal is granted because the new units will replace old dilapidated units. There will be no increase in the number of dwelling units. While the new units will not meet all the yard requirements of the code the present old units also fall short. The area was developed prior to the adoption of the Zoning Ordinance and of course all these buildings have been there all that time. One of the buildings, a 20 by 16 foot building is going to be removed. There had been six dwelling units on the property for years. The road is poor, but it is in passable condition. I submit to you that based upon the special permit requirements there is no adverse impact, in fact this will be a positive impact, because you are going to have decent dwellings where there are two poor dwellings right now. Therefore I would ask the Board to approve this application."

Supervisor Janoski: "Thank you Charles. Is there anyone else wishing to address the Town Board in the matter of this application?"

Fred Sherman: "Concerning this application of James Woodhull, I would like to make a few comments. They state that they are not going to increase the density in the properties. I

would like to know if they are removing two trailers that are already there that people are living in and putting in two replacement trailers?"

Charles Cuddy, Esq. "Yes."

Fred Sherman: "The two trailers that I think, are they shown on this map?"

Supervisor Janoski: "Sir, do you have a series of questions?"

Fred Sherman: "Yes."

Supervisor Janoski: "Why don't you address the Board, raise your questions and then I will invite Mr. Cuddy back to the microphone."

Fred Sherman: "Okay, surely. The two trailers that are being removed, are they on the site plan now? If they are not shown on the site plan are people living in them? Also the 20 by 16 frame building that is being removed, I would like to know if anyone is living in that? Also on the site plan there is a 12 by 14 building and I would like to know if someone is living in a 12 by 14 building. I think the density in the area is being increased it's only 8 tenths of an acre and I think that the two trailers that are going in there will increase the density. There will be more people living in there. I don't believe someone should be living in a 12 by 14 building. Yes, they are tearing down a 16 by 20 building which is just about falling down now. The other building is just about falling down and someone's living in there. The conditions in there, I think, are deplorable and I think they should straighten up the whole area before they try to pull the wool over your eyes and put something in there other than what they are stating they are doing. Those two trailers that they are going to remove look like they have been dumped in there about 15 years ago and they just sit there and none is living in them now.

Also many a times it's very noisy, firecrackers are being set off. There are brutal fights where I heard one woman pleading for her life in there. I've called the police in there numerous times which will be on the recordings, which can be verified. You don't need more people in there. You need it fixed up and made decent and a landlord to keep an eye on that place and have it as a decent area."

Supervisor Janoski: "Charles would you like to respond to the concerns and questions that were raised."

Charles Cuddy, Esq. "To respond to the first question. The proposed trailers are overlayed over the existing trailers. So the existing ones are not shown. These are in place of these two trailers. So the ones that you see as proposed are where the new trailers are going to be, replacing two trailers that aren't on

here because we are showing the new ones. There will be a total when we get through of six units. Five of them will be trailers, one of them will be a frame house as shown on here. The old building that is referred to as, right now it is going to be an accessory building, this is where shovels, rakes, whatever. This is a small building on the side of the map that you have on the Harrison Avenue side, that accessory unit is going to remain. At one time there were people that lived in that dwelling. Yes to answer his question. They don't live there now. They are going to get rid of the other frame building that is there. I would point out awhile there is some concern about increased occupancy the tenants are there. That we don't intend to have this as a multiple unit, this is a single unit, people have been living here. They have been living here for years. It's much more than 40 years that I'm talking about. I beg to differ with this gentleman. I think what's being done is simply one thing; the landlord or the owner of the property is replacing two dilapidated units with new units. Yes, he is going to get one thing, an increase in rent and that's all. But the neighborhood is going to have better housing not worse housing and I would hope that the Board would vote for the better housing."

Councilwoman Civiletti: "I'm a little confused. The two existing trailers that are going to be removed. Are they each occupied by tenants?"

Charles Cuddy, Esq. "My understanding is that one of them is at this point and one of them was. One of them was burned, there was a fire."

Councilwoman Civiletti: "So one of them is not occupied, but the other one is."

Charles Cuddy, Esq. "Yes, that's right."

Supervisor Janoski: "Thank you Charles."

Fred Sherman: "May I ask a couple of more questions?"

Supervisor Janoski: "I wish that you would have done it. But go right ahead. It is not really the proper procedure to recognize you again, but come right ahead and do it."

Fred Sherman: "He stated that the two trailers that are going to be removed are what--are the new trailers overlaid? Over the ones that will be removed? Did he state that?"

Supervisor Janoski: "I think that you would be better served if after this hearing you and Charles walked out into the hall and looked at the map and exchanged the information that you are looking for. But to have this dialogue going back and forth right now, I don't know what purpose it serves."

Fred Sherman: "In other words will this density stay the same? The way it is shown on the site plan."

Supervisor Janoski: "That's my understanding and Charles, of course, can answer that. Do you have any more questions?"

Fred Sherman: "No, I just want to state that I am against approving this site plan and if it's a nonconformance to the zoning right now then why add to it."

Supervisor Janoski: "Charles, would please address on the record the question of-----"

Charles Cuddy, Esq. "The density of exactly the same as it was. There is not going to be an increase. There is going to be a decrease in buildings. The density of the useful buildings is exactly the same. The only thing we are doing is we are making bigger units so that we can have decent size mobile homes or decent size trailers there. That is all that is being done. There is no increase in the numbers."

Supervisor Janoski: "Charles, the Town Attorney has a query."

Town Attorney, Patricia Moore: "If you would just clarify for me, there is a 7.5 by 7.7 structure and it is not clear what that is. For purposes of the record what is that?"

Charles Cuddy, Esq. "That was an accessory unit to one of the trailers that's there."

Town Attorney, Patricia Moore: "Is it going to remain?"

Charles Cuddy, Esq. "That is going to stay there. That has been there."

Supervisor Janoski: "Is there anyone else present wishing to address the Town Board on the matter of this special permit application. Sir, I can recognize you again if you would like."

Councilman Lombardi: "Mr. Sherman, I spoke to your wife this afternoon. I did take a ride up there to take a look at these trailers or mobile homes. I would say that the ones that I saw have to be replaced. I think it would be an improvement to the area. I did speak with Mr. Cuddy this afternoon and I asked him to talk to the owner to see if he could do some landscaping and to do some more investigation which I spoke to your wife about. But the homes that are up there now, I would be very happy to see replaced as long as it is done in the right way."

Fred Sherman: "You spoke to the landlord?"

Councilman Lombardi: "No, I did not speak to the landlord. I spoke with Mr. Cuddy, his attorney. I asked him to keep a good

eye on it and to see what could be done with the people that are going to be put in there. He said that the people that are going in there are the same people that live there. I asked him to investigate any new people. I do believe that the mobile homes that are there now, there are four that are occupied. One was burned so he is changing two of them. I would like to see three changed because it is a mess."

Fred Sherman: "I would also ask him to ask the landlord to watch his tenants as they jump over my fence crossing my yard to get to another area. Be careful, the fence is rusted and they may get tetanus if they get cut."

Steve Haizlip, Calverton: "I was wondering when Mr. Sherman and Mr. Cuddy were discussing descriptions of those trailers. Since two of them are so bad and one of them was burnt, what kind of condition are the other ones in after about 40 years? John, you just gave me the information. If he is going to go for two and if another, one according to your observations and inspection, needs replacing then I recommend getting the place cleaned up and fixed up decent for those people."

Supervisor Janoski: "Is there anyone else present wishing to address the Board in this matter of a special permit application? That being the case and without objection I declare this hearing to be closed. Thank you Mr. Sherman. Let the record show that the hour of 8:06 P.M. has arrived and the Town Clerk will please read the notice of a public hearing."

P U B L I C H E A R I N G 7:55 P . M.

Town Clerk, Irene J. Pendzick: "I have Affidavits of Publishing and Posting of a Public Notice for a Public Hearing to be held at Riverhead Town Hall at 7:55 P.M. on Tuesday, August 21, 1990 to hear all interested persons who wish to be heard regarding: THE SPECIAL PERMIT APPLICATION OF MOHRING ENTERPRISES FOR THE CONSTRUCTION OF A GASOLINE STATION INCLUDING A CARWASH AND MINI-MART LOCATED ON THE NORTH SIDE OF ROUTE 58."

Supervisor Janoski: "Allen are you representing Mr. Mohring?"

Allen Smith, Esq.: "Yes, sir. Members of the Board, this site location is on Route 58 opposite Tryac. When the audience looks at Warsaw Drive, that is the new road that is being built by the subdivider at that particular location. The use in the industrial zone is a special permitted use. It is a car wash and gas station. The gas station component is approximately 2000 square feet. The car wash component is 2600 square feet. It lays out pretty much as you see. There is a landscape buffer approximately 30 some feet along Route 58 with no access on to Route 58. The access is off the new road under construction. Other than that there are very few if any comments. It's a rather straight forward application."

Supervisor Janoski: "Thank you, Allen. Is there anyone present wishing to address the Town Board in the matter of the application for a gas station car wash?"

Rob Goldman, North Fork Environmental Council: "Being somewhat familiar with the area, what is the depth of the ground water? Can we ask that of the Board and then direct that to Allen? Allen do you have an idea on that?"

Allen Smith, Esq. "Testal data shows ground water at this location at 15 feet."

William Kasperovich, Wading River: "A question that immediately came to mind with Route 58, gasoline station, wash. It is going to have the public as their customers. Is there a traffic light involved for this traffic that will come on and off of Route 58? First question that came to mind. I thought to myself, why did I have to ask this question? Years ago when I would present an idea to the Town Board all these questions had to be answered on paper. Now you present something in the past public hearing and this public hearing, how can the public respond to a public hearing when you present documents that have never been seen before. Now if these documents would at least be displayed in the corridors to the public they could have a look at it. This way, my sitting in the second row, I can't read that. And it certainly is not proper for me to disrupt the meeting and go up and look at it. If the proper documentation to answer the kind of questions that appear to be coming up here are not on paper, then the situation is not ready for a public hearing."

Allen Smith, Esq. "The issue of the signalization of this particular location was not addressed or decided in the context of this hearing or this application. This is a fully approved subdivision on this particular property which was not handled by me and to my knowledge appearing before the Planning Board had been through the Planning Board over the past year. The particular or the overall issue with reference to Mr. Kasperovich's comments to the availability of such drawings. We have been before the Planning Board. We have put before the Planning Board these drawings for their recommendations. They have recommended approval. If Mr. Kasperovich wished to, he would have been more than welcome to look in the Planning Board file or the Town Clerk's file where these documents are held and I believe Mr. Kasperovich knows that. Thank you."

Councilwoman Civiletti: "Allen can I ask you a question? Is this part of the Warsaw Industrial Park?"

Allen Smith, Esq.: "Yes. This is Lot 1 in that subdivision."

Supervisor Janoski: "With due respect to the people who applauded in the back of the room. For as many years as I have been sitting here, Mr. Kasperovich, has been saying the same

thing. When an application is made to the Town of Riverhead it is placed on file in the Clerk's Office. That representation of what is being applied for has been there for quite sometime. Mr. Kasperovich could have looked at it at anytime. And that is the purpose of a public hearing. It is the purpose of a public notice being placed in the paper at least 10 days prior to such public hearing so that individuals that are interested in a proposal can go to the Office of the Clerk and find out whatever they wish to know about the application. I take offense at you, Mr. Kasperovich, and you know the answers. Mr. Kasperovich, sit down, I'm not recognizing you."

William Kasperovich: (from the floor shouting no microphone) "In other words you can insult me and tell me to sit down."

Supervisor Janoski: "Mr. Kasperovich you insulted this Town Board and this procedure and the Clerk and everything that we do here in this Town government."

William Kasperovich: "I'm justified in criticizing you people when you are not correct. That is all there is to it. Now I have been in and out of the Clerks Office three times this past week and I didn't see any such document there."

Supervisor Janoski: "Did you ask for it?"

William Kasperovich: "I refuse to ask the Town Clerk to present public documents anymore. She refuses to do this to the public. She says that I have to read the fine print in the publications and I cannot continually disrupt her office."

Supervisor Janoski: "Mr. Kasperovich, you are out of order. I will warn you once, that your next outburst you will be removed from this hearing and this meeting."

William Kasperovich: (from floor - shouting, no microphone) "You can insult me and throw me out of the building."

Supervisor Janoski: "Mr. Kasperovich, please take your seat."

William Kasperovich: "This is a public hearing."

Supervisor Janoski: "Mr. Kasperovich, I am now warning you twice. This is your second warning."

William Kasperovich: "And the third time (inaudible) you are violating my constitutional rights to speak at a public hearing."

Supervisor Janoski: "No you won't. I will recognize anyone wishing to be heard on the subject of this application. Sherry."

Sherry Johnson, Manorville: "I'm glad that Rob asked about groundwater because several of us know that in this area in industrial 1953 telephone maps that there were wetlands that did drain down toward the Peconic Basin at one time. We all know in this area several years ago there was a flooding problem which resulted in drainage basins. I am concerned about the depth of the ground water and the placement of such a facility there and about the water that will be used and what will happen to it. Thank you."

Supervisor Janoski: "Thank you Sherry. George."

George Schmelzer, Calverton: "Gas station? We have a lot of gas stations closed up because of economic reasons. They can't afford to put in a quarter of a million dollar tanks. We have less gas stations in Riverhead Town than we have had in the last twenty years. I don't even know if we have a car wash anymore, do we? We've got one, well let's have some competition and have two. It is the guy's money, his own land and I don't even think he should have to go to a Board even to do it. Let him do it. It's his money and his land. There is nothing wrong with a gas station. The gas station nearby has been closed up for good. Stachiw. All these people object to everything. Talking about wetlands. All the land is wet when it rains. When there is no rain the land is dry, so---."

Steve Haizlip, Calverton: "I brought up this subject once before about the Warsaw Park sitting on top of a wet area and filled in with sand. Now with all of the amount of water that is going to be dispensed from the car wash, if it is just going to be going into the ground won't this cause an oozing, so to speak. That is if a big volume of business is done."

My next comment would be, with all do respect, Mr. Janoski, I don't want you to get mad at me. I just think it's a good point. Mr. Kasperovich brought up a point about that he did not see this stuff. You counteracted by saying that it is put in the paper and in the Clerk's Office. I would like to suggest one step further. It is only a suggestion, but it would clear up a lot of misunderstanding. The specifications are filed in the Clerk's Office on file. That is right in the public notice and there would be no reason for anybody to complain."

Supervisor Janoski: "Steve, it is in the public notice."

Steve Haizlip, "It is in it?"

Supervisor Janoski, Yes, Steve."

Steve Haizlip, "Well, okay Joe. Then the suggestion is mute."

Supervisor Janoski, "We've been doing this for awhile Steve and I think we do it pretty well. Allen, do you have a wrap up here?"

Allen Smith, "Just a quick question maybe. The technology is such with reference to these car washes that is not recharged to the ground or put into the public sewers. These are closed loop systems where the water is cleansed and reused. It's not the old fashioned scrub them and flush the stuff down the drain. Mr. Mohring offers these facilities in California and they are rather successful."

Supervisor Janoski, "Thank you Allen. Before I close, I see George's hand is up. Is that right? Would you like to have the last word?"

George Schmelzer, "I've got two more minutes don't I? You see if we have no car wash, people will park their cars in the yard and the soap and water goes on the ground. It doesn't go in any recharge system. So maybe these environmentalists will say we can't wash our cars in the yard anymore yet they don't want any car washes. What are we going to do then? Run around with dirty cars all the time. Think about it."

Supervisor Janoski, "Thank you George. Joe."

Joe Sykora, Riverhead, "I was wondering about the traffic situation. I mean we have a lot of traffic in that area on 58 where we can't get out of Mill Brook Park on a Friday or Thursday night. And I was wondering about the traffic congestion that that would cause. If I want to get out of the park, out of Glenwood Village, I have to go down to Middle Road and go to the light to get out of the park. And I was just wondering because that road is going to be right across the way from our entrance. Thank you."

Allen Smith, "I answered it before."

Supervisor Janoski, "Is there anyone else present wishing to address the Town Board on the matter of this application? That being the case and without objection, I declare the hearing to be closed."

7:55 PUBLIC HEARING CLOSED AT 8:21

Supervisor Janoski, "Let the record show that the hour of 8:21 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G - 8:05 P. M.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on August 21, 1990 at 8:05 p.m. to hear all interested persons who wish to be heard re: LOCAL LAW FOR HOURS OF OPERATION OF RETAIL BUSINESSES.

Patricia Moore, Town Attorney, "There is quite a long resolution or local law that explains the purposes of this Local

Law which you all are welcome to read. The specifics on the hours of operation is that retail businesses in the CR zoning district would have to close from the hours 12 a.m. to the hour of 5 a.m. There was an error made in the original public hearing notice and it had 12 p.m. and I apologize. That was corrected in the last weeks paper. However, the intent should be very clear that it's from 12 o'clock in the middle of the night until 5 in the morning. This would exclude those businesses which are regulated by the state through the selling of alcoholic beverages."

Supervisor Janoski, "Thank you. Is there anyone present? Yes sir."

George Dalecki, Wading River, "It wasn't too many months ago at a hearing at this Town Hall to ban parking in the vicinity of the Barburka Deli on West Main Street that I heard the Vice President of Blackman Plumbing go on and on about vandalism to his property and the never ending amount of litter that was left on the streets there due to the patrons of the deli in the middle of the night. More recently just a few weeks ago, we all read about a fracas at that same deli during those same wee hours of the morning that the papers referred to as a near riot because it involved State Troopers as well as the Town Police. With those and other instances as evidence, I think we ought to consider banning any convenience type of businesses that tend to cater to vandalistic types of people, businesses that will lure our young to those kind of groups and endanger the welfare of all our citizens in general. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present wishing to...? Cathy Casey."

Cathy Casey, Wading River, "I just want you to know that you should post notices more clearly. I don't understand what you're putting in the paper. I'm only kidding. Smile. I'm only kidding."

Supervisor Janoski, "This is ladies and gentlemen, the best show in town."

Cathy Casey, "With regards to the restrictions. As you know, the community of Wading River has been very, very concerned for a good long while about any businesses operating on a 24-hour basis in our community. Through the Hamlet Study Task Force some time ago the Task Force recommended that no businesses be allowed to operate on a 24-hour basis. From then until fairly recently you've been getting letters and other forms of communication from the residents of Wading River. And while some may feel that in our particular instance, that we were being prejudicial towards a certain type of business, I would like to clarify that no that is not the case. It may have been one type of business that brought it to light for us. However, the point remains that it is not just one particular type of business that we are concerned about

any business of any type being opened 24 hours a day. Obviously as has been indicated a few minutes ago, we are very concerned about our young people congregating, whether its daytime or 11 o'clock at night, which can as you know, very often lead to problems. We don't want to see that, not to mention the litter. That does happen because unfortunately most of us have a tendency to drop things now and then and we forget to pick them up and put them where they belong. We strongly urge your support for this. I personally would like to make one other comment because I can't speak for everyone in Wading River. We originally requested that it be a maximum of 17 hours a day as opposed to this would allow for, correct me if I am wrong, 18 or 19 hours a day figuring from 6 in the morning to 12 at night. Is that correct? My point is that I would like to see it restricted to 11 o'clock at night for the simple reason that nine times out of ten there are going to be patrons in the store at 12 o'clock as well as at 11 and the chances of the store closing its' doors at midnight as opposed to 12:30 to 1 o'clock in the morning due to the fact that they do have customers. I think we should give a lot of thought going to midnight as opposed to 11 P.M. because chances are at 11 P.M. they won't close to much before 12 A.M. My own personal feeling is that we should make the cut off at 11 P.M."

Supervisor Janoski: "Cathy I understand that tomorrow the Wading River Civic Association is meeting with representatives of Southland Corporation. Are you expecting a good turnout from the community?"

Cathy Casey: "I certainly hope so. We have done our utmost to spread the word and we are working on it and hopefully some of you if not all of you are coming."

Supervisor Janoski: Some of us will be there, certainly."

Cathy Casey: "If I may go off the beaten track for one moment, I would like to invite you all to attend our meeting in October. I will touch base, but you are all cordially invited to attend our October meeting."

Supervisor Janoski: "I love, Cathy, the year that I don't have to go."

Cathy Casey: "Oh, I wouldn't do that to you."

Supervisor Janoski: "Of course it is fun to watch other people squirm as----"

Cathy Casey: "Yes."

Supervisor Janoski: "Thank you Cathy. Dick Benedict."

Dick Benedict, Riverhead: "I think it's all well and good for everybody to try to regulate somebody else's business hours, but I don't think there is a person in this room that hasn't

stopped at a convenience store after midnight or early in the morning on a trip. I know for a fact our night shift doesn't get off until 12:36 a.m. And I know that there are night shifts all over this country. I believe that if a bar can stay open until 3 or 4 that a 7-11 can't operate without causing trouble in town or any other store for that matter with responsible owners. I don't think that we should have to police them or set their hours for Wading River or anybody else. Thank you."

Warren McKnight, Wading River: "I've lived in Wading River since 1970 and I work nights quite a bit. I think it's very nice to have a 7-11 across from the hospital because it's open 24 hours or if you are driving on the road. But if you look at the Town of Wading River where it is going to be located you will see three wonderfully landscaped corners there and you will also find that Gulls Market and other stores tried to open 24 hours and the business wasn't there. Basically the type of business that they would get, I believe being a resident of Wading River, wouldn't warrant them to be open for those hours. It would only attract only a few working people, very few. The rest of the people would be loitering type of people. Loitering type of people would be youth with nothing to do or people working at nights in maybe for larceny. Again it is also a place where people can stop and have alcohol after the bars close too. I feel this fact is detrimental to the Town and again like I said, if the right persons stay open and everything is regulated it's right. But unfortunately, I went to many 7-11's to get a cup of coffee and I find the litter on some of them, the one in Middle Island and the one in Rocky Point. I really don't want them myself. I think, hopefully, Southland and with the Town Board's encouragement we could make this store when it opens, conform with a good community to have responsible ownership and maybe stop the service of alcoholic beverages at night. Thank you."

William Kasperovich: "It's all very well nice and good to tell when to be open, when not to be open. I live in Wading River and I have to go to Rocky Point to get anything when it gets to midnight or 2 o'clock. If I'm coming in from the city and that is not where I have been playing around, a medical necessity, I'm coming in from the city and I have to come in late due to the heavy traffic. I have to go to some other area other than I live in to get anything. So although we can say that we don't want it we been just used to living without it for a long time. The regulating hooliganism is just something that has been permitted. Now suppose we had somebody wins the lottery and opens up a thirty bed hospital. Are you going to write up your amendment that you can't keep the emergency entrance opened up 24 hours a day. There are services and facilities that are needed 24 hours a day. Now if you look into your crystal ball your going to look past your nose to encompass the needs of people that live here. Not necessarily the merchants. Thank you."

Joseph Lynch, Wading River: "Two years ago as past president of the Wading River Civic Association, I was appointed

by the Supervisor to the Task Force for the Wading River Hamlet Study. I'd like to just give you a little bit of history about where this came up in these number of hours of operation. It was first suggested at the Task Force meetings as 15 hours of operation. The business people in negotiations with them and so forth, they were well represented on the Task Force. The Wading River Businessman's Association, their president was there. After some negotiations, we came upon 17 hours. So I believe this 19 hours is a compromise. The reason that this all came up was that we felt the character of Wading River was much different than a center like Riverhead where you would want something open 24 hours. There are hospitals and a number of different industries. Wading River is dark at night. There's nothing. It's a small hamlet and the same would be true of Jamesport and Aquebogue. So we felt that since there's once police car and it goes from Baiting Hollow and all of Wading River, we felt that you don't need to create some place where people are going to hang out, maybe draw people from other towns, creating a problem. And it's well established that these 24 hour places that do serve beer or sell beer are hangouts. So we felt that it wasn't needed in this type of a community. So I would like to support this resolution."

Supervisor Janoski, "Thank you Joe. Is there anyone else present wishing to address the question of limiting the hours of business in the CR zone? George, wait a minute. Is there a young lady in the back? I'm sorry."

Maria Scziegel, Wading River, "My husband and I just moved to Wading River from Riverhead with our two small daughters. We just moved there from Riverhead because it was a small tiny little hamlet and we liked the rural nature of the area. And when we found out there was going to be a 7-11 built, we wanted to at least voice our opposition to it. There's a 7-11 in Rocky Point. There's a 7-11 in Manorville. There's a 7-11 in Riverhead. If you need something, you can go there and get it."

Supervisor Janoski, "Maria, this hearing is not concerned with a business of 7-11."

Maria Scziegel, "I know. I'm just saying that the hours of operation, there's plenty.... I'm against the hours of operation being increased to a 24 hour thing. That's just that we want it limited."

Supervisor Janoski, "It is very important and it should be well understood that this legislation is not aimed at any particular company."

Maria Scziegel, "That's right. We just wanted to say that we were against the hours of operation and hope that you would keep the rural character of the hamlet and restrict the hours of operation."

Supervisor Janoski, "Thank you Maria. Is there anyone else? Howard."

Howard Young, Riverhead, "Would I understand it correct if I opened a surveying office there in that CR zone which I think is an allowed use, I wouldn't be able to work before 5 in the morning?"

Supervisor Janoski, "No."

Howard Young, "I'd like to see you close me up."

Supervisor Janoski, "I'd have to bring out the tanks to do that. Howard, it does not affect the professional work that you do. It's retail. George, I think it's up to you to wrap this thing up."

George Schmelzer, Calverton, "I'm mixed up myself about A.M. and P.M. and 12. Why don't you say 12 midnight and 12 noon and then there's no mistake. That's what people say anyway. All this nonsense of A.M. and P.M. anyway. I don't know what 12 A.M. and P.M. means myself and now I'm all screwed up. People don't have to go to the store but I think it's a good idea."

Councilman Prusinowski, "P.M. means post meridian."

Supervisor Janoski, "George, how do you feel about this proposal?"

George Schmelzer, "I say leave the people alone. People don't have to go in the store 24 hours if they don't want to. If the guy is open 24 hours and he has no business, he'll cut down anyway. How can you referendum the people in Wading River? The one's that make the most noise are the ones that don't want anything and the people who probably think it's all right don't say a word. Put it on a referendum. The next election put it on the ballot. Because if anybody don't like it they can decide for themselves."

Supervisor Janoski, "Unfair statement George. Advisory referendums are specifically prohibited by New York State Law."

George Schmelzer, "Some state we live in. How about inviting people to send in their opinions of people who don't like stuff."

Supervisor Janoski, "They have been."

George Schmelzer, "Well, if you're going to have a limitation on say five hours, there's nothing open, how about turning off the lights and telephones too. And what if you have a fire, then the house burns down."

Supervisor Janoski, "George, why don't you tell us how you feel about this proposal? Are you for it or against it?"

George Schmelzer, "Against it. I like people to remain free. I think you know that. I don't like all this bureaucratic nonsense."

Supervisor Janoski, "Thank you George."

George Schmelzer, "You're welcome. Do you really mean it?"

Supervisor Janoski, "Yes indeed I do. Thank you. Yes sir in the back."

Rich Bradley, Miller Place, "I'm a representative of the Southland Corporation, 7-11 stores. We've been in this permit process on this location for the development of a 7-11 since 1985. Our development was hung up during the hamlet study. We did not proceed with it. A permit was issued in 1987. Subsequently, revoked. Our questions are simple. Why now some three years later after the hamlet study, are we discussing hours of operation? Why not back in 1983 and 1986 and 1987? We feel that the decision to operation 24 hours or not 24 hours should be a decision made by business and not by regulation and not by a governmental agency. If a business does survive during the night, then let the business make the decision on the hours it needs to operate. We look forward to tomorrow night and meeting with the people and the residents of Wading River to discuss issues that can be resolved via the government, private citizens, the business community working together as one. Thank you."

Supervisor Janoski, "Thank you. Yes sir."

Gordon Hagem, Baiting Hollow, "For 11 years I ran a package store. My hours were governed by the state and I found no problem with it whatsoever. In fact I thought it was great. I worked across the street from a 7-11 and I didn't like what went on over there at all. Thank you."

Supervisor Janoski, "Does that mean that you support the legislation?"

Gordon Hagem, "Yes."

Supervisor Janoski, "Is there anyone else present wishing to address the Town Board on the matter of regulation of the hours of business in the Business CR zone? That being the case and without objection, I declare this hearing to be closed."

8:05 PUBLIC HEARING CLOSED AT 8:42

Supervisor Janoski, "Let the record show that the hour of 8:43 P.M. has arrived. The Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G - 8:15 P.M.

I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 8:15 on Tuesday, August 21, 1990 to hear all interested person who wish to be heard re: AMENDMENT TO SECTION 108-59, "SWIMMING POOLS".

Patricia Moore, Town Attorney, "This amendment was at the request of the Building Department. They have had problems with the way the code was written in that over time, the language became convoluted and the New York State Building Code was actually clearer and less restrictive than our own code. That was never the intent. We intend to regulate the fencing and the type of latching devices around pools in accordance with the New York State Building Code and this amendment reflects the New York State Building Code requirements concerning swimming pools."

Supervisor Janoski, "Thank you. Is there anyone present wishing to address the Town Board on the matter of removing everything we say about swimming pools and putting in its place the New York State code? The latching devices. Steve."

Steve Haizlip, Calverton, "I have no trouble with the swimming pool state regulations or town regulations or what have you. The only thing is that you mentioned something there that I don't quite understand. Convoluting. What do you mean by that?"

Supervisor Janoski, "It means that it makes no sense the way it presently is in the town code. It has undergone changes over the years without really a comprehensive change in such a way that it really contradicts itself in certain places. It's a fairly fair description of it."

Steve Haizlip, "You know in the aircraft business when we speak of convolute, we speak of a tube with wires going through it for protection. Now when you speak of convolute in swimming pools I think you mean the direction of water or something going through it."

Supervisor Janoski, "What kind of aircraft would that be?"

Steve Haizlip, "Your present military aircraft."

Supervisor Janoski, "F-14's and A-6's."

Steve Haizlip, "Just your present military aircraft. They all carry convolute tubing."

Supervisor Janoski, "Very interesting Steve. How do you feel about this proposal to get everything in line with the state code? Do you support it? Do you think it's a good idea?"

Steve Haizlip, "Joe, I told you when I came up here that I support it. The only thing is I wanted to get cleared up what are they referring to about convolute. They don't want to refer to it as piping in the ground. I think that's what it means."

Supervisor Janoski, "No. What it means...."

Councilman Lombardi, "You want it in English Steve."

Steve Haizlip, "You got it John. Can you explain it?"

Supervisor Janoski, "It means it's a mess."

Steve Haizlip, "You mean the Building Inspector had trouble with it so he wants to get it in plain writing himself. Okay."

Supervisor Janoski, "Is there anyone else present wishing to address? Yes Mr. Kasperovich."

William Kasperovich, Wading River, "Thank you. I don't know how many hours, but there were many that were spent in the discussion of swimming pools here in this room. Many many hours. And we didn't come up with good enough correction and I'll have to continue where I stood before that it is not too restrictive. It is not restrictive enough. And if all Mr. Wiwczar can talk about is the latch, is because he's looking through a peephole and he doesn't see anything else."

Supervisor Janoski, "That's the best line tonight."

William Kasperovich, "Now, we had in the newspapers very recently about a kid two years old that somehow got out of the house and drowned in the swimming pool. That means there was something that was not restrictive enough. Now you interrupt me and then you tell me I only have five minutes to talk."

Supervisor Janoski, "Bill, don't push your luck. I'm going to respond to...."

William Kasperovich, "I'm speaking on the subject at hand at a public hearing. You don't like my mannerism or you don't like my choices of words, that's your business and not mine. I have my right to speak here."

Supervisor Janoski, "I have my right to respond to you Mr. Kasperovich and that incident involved a swimming pool that was built many, many years ago under different regulations and they are grandfathered. This will address swimming pools that are built now and in the future. Continue."

William Kasperovich, "If you were listening to what I said, I'll try to use simpler words. When an accident happens, there are conditions that cause the accident and those conditions should be looked at for the future regardless of grandfather

clause or not. We have a strong argument about 4 foot fence in heights and there was a strong argument that the police should be able to look over the fence to the swimming pool and not have to enter on to the property. I haven't seen Mr. Wiwczar look in that direction at all. There are conditions we discussed about where the fencing shall go to the house or not go to the house."

Supervisor Janoski, "The subject at hand here is a latch. How do you feel about that?"

William Kasperovich, "...is a latch. The same as before. You said paint it yellow so it don't explode. What is it for?"

Supervisor Janoski, "What is your position on the proposal Mr. Kasperovich?"

William Kasperovich, "It's inadequate and incomplete and not to the interest of the public and the residents of Riverhead."

Supervisor Janoski, "Thank you very much Bill. Is there anyone else wishing to address the Town Board on the matter of this proposal for an amendment to the swimming pool code? Do I see a hand raised back there? No. Okay. Without objection, this meeting is closed."

8:15 PUBLIC HEARING CLOSED AT 8:50

Supervisor Janoski, "Next one. It's about 8:49 p.m. The Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 8:20 P.M.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 21, 1990 at 8:20 p.m. to hear all interested persons who wish to be heard re: SPECIAL PERMIT OF HENRY LEE TO CONSTRUCT 120 UNIT RESIDENTIAL CONDOMINIUM ON THE NORTH SIDE OF SOUND AVENUE.

Supervisor Janoski, "Thank you. Is there anyone present representing Mr. Lee? Mr. Allen Smith, I recognize you."

Allen Smith, Attorney, "Mr. Supervisor, members of the Board. This is an application that has been before the various agencies of the Town of Riverhead for approximately six years. Having begun in January of 1984. The special permit that is before the Board this evening involves the last of three buildings which is in the far left of the drawing as you look at it. The two buildings that are to the right and encompass 80 units, 40 in each building, are the subject of a fully approved and executed condominium map for this particular location. To refresh your recollection, 67 of the units of the 80 were predicated upon the zoning of the property and a yield of 1 unit to the acre. The additional units above 67 to 80 were predicated

the dedication of 18 off site acres into the Suffolk County Farmland Preservation Program. And what is proposed the additional dedication of approximately 48 acres of off site farmland as a condition of the special permit which is under consideration. This is a tight cluster. The acreage on site is 81 acres plus or minus. Forgetting about the 18 off site acres and the 48 proposed to be considered. The lot area coverage is under (onsite) the 15% that is called out by the code. If you consider the off site acreage, the lot area coverage falls down to about 5%. The consequences of the vast majority of the site is left as it is and the construction stays essentially in the most northern quadrant of the property. The architecture, this Board has seen. The architecture has not changed. You approved the architecture once before. Multistory building type cluster."

Supervisor Janoski, "Thank you Allen. Is there anyone present wishing to address the Town Board on this matter? Yes sir."

Bill Lowe, Baiting Hollow, "The proposed condominium addition is adjacent to my property and others. This land in question is part of a terminal moraine with perhaps the last stand of beechwoods on Long Island. Some of these trees may be 100 years old or more. It is rolling wooded land, 100 feet wide when I walked it this morning, at its widest. Each edge drops off 40 or 50 feet on both sides. It is about 200 feet in length measured from the Long Island Sound Bluff. It is hardly suitable for a summer gazebo let alone what is proposed here. It can only be reached by a narrowly rising ridge no more than a few feet wide from the land below. Has any member of the Town Board or the Zoning Board seen this area? They should walk it and see what they are going to try to do there. Trading off the land with extremely limited use for an ecologically and environmentally sensitive piece of land is another great fraud perpetrated by the residents of this county in the guise of philanthropy. Why wasn't this entire plan presented at the original in '84 and '85? Clearly it has been intended all along. Why the cat like approach? It is given to them in small doses? They'll never approve of it all at once? I hope I'm not shoveling sand against the tide here that this hearing is a mere formality. That approval may have already been granted. And I say this because over the years, no matter what has been proposed for Riverhead Town, it has always seemed to meet with approval no matter what it was. Splash Parks; War Games; Garbage Collection Plants for the entire East End. The Grucci Fireworks plant planned for Osborn Avenue, hailed at the time for a welcome addition to the community until the plant went up in smoke injuring many people."

Supervisor Janoski, "Sir, I don't mind people speaking their mind at these public hearings, but when you misrepresent facts, you get my attention."

Bill Lowe, "Is that misrepresentation?"

Supervisor Janoski, "Yes indeed. This Town Board denied the Survival Game application. We certainly did not approve a Grucci Fireworks plant in the Town of Riverhead. It was a court order that allowed the Survival Games to operate on their present location. It has to be pretty much understood that special permit applications, unless you come up with reasonable set of reasons why they should be denied, are going to be overturned. This Town Board, I believe over the years prior to my becoming the Supervisor and afterwards, has done a very thorough job of reviewing applications. Now, I would say that this property is properly zoned for the use and that is what the owner of the property is proposing. If there is in fact some desire to preserve that land then I would suggest that it be purchased. I am sure that the owner would be happy to talk to you about that. But we have an obligation to review proposals that are before us and we have an obligation to be fair and conduct ourselves in a legal manner. Now I can appreciate where you live that this is not very warmly received. (Tape skipped inaudible)

Bill Lowe: (tape malfunctioned and verbatim is not complete): "the phase of an S & L fiasco. When something the residents didn't want or approve of it was forced upon them. And then when it calls a crowning injustice those that objected to it are forced to pay for it in their federal taxes. East of us on Sound Avenue we have a bankrupt Racquet Club. Perhaps the name was misspelled."

Supervisor Janoski: "I'm sure that you had fun writing this. But would you explain what you just said to me as to what bearing it has on the application before us? You're comparing this to a saving..."

Bill Lowe, "I'm talking about what we're going to get in taxes and this is the last statement that I have to make. Approval of these projects has always been accompanied with the statements that it will increase the tax base and I believe this is another hoax. Schools, roads and police services are always required. The costs wind up as increases in resident's taxes."

Supervisor Janoski, "Once again I think your information is misinformation. The roads are private and our experience has been that this type of facility generates no school children or minimal school children if at all. So that what you're saying... You intrigue me with this reference to the savings and loan. That is a corrupt situation in which a lot of people made a lot of money. What are you suggesting here?"

Bill Lowe, "I'm saying that the Racquet Club east of us has gone bankrupt."

Supervisor Janoski, "That's a business person's right to go bankrupt."

Bill Lowe, "You wouldn't want a lot of bankrupt operations in one town would you?"

Supervisor Janoski, "Absolutely not. We don't approve these things to go bankrupt. Listen, please don't take me wrong. I like when people come and express their opinions. But don't compare us to savings and loan or use the word fraud or use misinformation to make a point because we know what the facts are. You're opposed to it. You don't want it next door. You think the land is environmentally sensitive. It shouldn't be there. Say that."

Bill Lowe, "Yes. I said that."

Supervisor Janoski, "Thank you. I don't like to hear the word fraud used in this room. Especially when directed against the Town Board or any applicants. Yes sir."

Rob Goldman, N.F.E.C., "A couple of questions to the Board and I guess you can send them back to Allen. We don't quite understand the special permit with conditions. I guess this is going to be a special permit with conditions that there will be a transference of property or sterilization of property. Can we get an explanation on that?"

Supervisor Janoski, "Allen, did you hear the question?"

Allen Smith, "I'll attempt to clear up one item with reference to Mr. Lowe's comment if I might. I couldn't grab the right document immediately at hand but this property is much larger than 600 feet in width. Six hundred feet is the frontage on the Sound for the first two buildings. So to the degree that any of you are concerned about the size of the parcel, please take Mr. Lowe's suggestion and visit the parcel with one of the drawings in hand. With reference to Mr. Goldman's question, in the proposal the mitigation effort that has been used and is proposed is in the specific instance of the first 15 units that were TDR'd and conditioned upon the permit were on County Road 105 between Northville and 105 west of Union Avenue. They're of good soil types and in active production. That property has already been purchased and has been in fact dedicated into the Suffolk County Farmland Preservation Program. The second acreage that was offered, we've worked our way through this procedure, was the farm of Avery Young which is adjacent to the George Reeve farm on the south side of Route 25 in Aquebogue. By reason, the George Reeve farm being in the Suffolk County Program, the Suffolk County Farmland Select Committee identified that parcel as one they were interested in. We had it under contract for a period of time. And because the process has taken so long, it is no longer under contract. I have a verbal, it's not a commitment, a verbal understanding with Mr. Young and his attorney that if we can get through this process, that that would be a parcel that might be available again. I have to get additional acreage to get up 48 however. Mr. Young's parcel is

not that many acres. For Mr. Goldman's further comment or understanding, whatever parcels are selected in mitigation, will be a subject of examination and resolution by the Riverhead Town Board. I would say that I do recall the other question Mr. Lowe raised in his comments which was that he believed that there was some sort of segmentation of the particular application. If he wishes to go back and examine the various resolutions that are involved here, it has always been a 120 unit proposal."

Supervisor Janoski, "Thank you Allen."

Rob Goldman, "There's going to be a sort of TDR type of situation for this new application. Am I correct in understanding that? But the actual physical development rights have yet to be located someplace else in Town. You had at one point a contract in negotiation with someone who was going to give up those TDR'S. But you don't have that exactly right now. You're looking for that."

Allen Smith, Esq.: "I lost them."

Rob Goldman: "You lost them. And now you are looking for others. Thank you."

Tom Bacco, Warner Ct., Riverhead: "I would like to know why Mr. Lee doesn't buy the additional property needed to do the whole condo unit the way it is supposed to be done according to the code. So many units per acreage. Let him buy the additional acreage on this property. Don't give land that has no use to this building."

Supervisor Janoski: "You don't like the concept of transferring building rights? Is that what you are saying?"

Tom Bacco: "I don't understand. Is that legally done, Allen? Why do we have a code that says he needs so many acres for so many units?"

Supervisor Janoski: "He is meeting that code by buying additional property that is not contiguous."

Tom Bacco: "Yes, but it doesn't have anything to do with this property here. Let him buy the acreage needed to do it."

Supervisor Janoski: "That's what I'm saying. It's not contiguous. I understand. What you are saying is that you don't like the idea----"

Tom Bacco: "I don't find this giving other property in transfer of whatever you call it."

Supervisor Janoski: "It's a reasonable position. Allen did you want to respond in any way?"

Celeste Voeglin, Calverton: "I would like to know who are these units intended for? What is the market for these condos? What is the price range going to be? Are we going to have the same situation that we had with the Racquet Club which is now defunct? Are we going to have empty condos sitting up there at a price range that no one can afford? At least no one in the area certainly can afford. Are they just going to be sitting there vacant?"

Allen Smith, Esq. "In answer to the first question. This particular zoning on the property the yield is two units to the acre. So in theory it could be higher without the TDR'S. The TDR'S were offered as a mitigation in terms of impact. That was the comment before. These are in no way affordables if that is what the question is. These are meant to be a luxury, second home type development. The market forces will dictate, assuming that six months from now or eight months from now that I complete the process that is attended to one of these. Whether it will be built then or sometime there after in the permit period. But it probably in this market would not be built at all. Even being viewed favorably by this Board at least six months away from any sort of promise."

Betty Brown, Peconic Bay Blvd., Aquebogue: "It strikes me that we are putting the cart before the horse having a public hearing on a special permit for a part of a project when we are thinking about increasing density on a parcel, but we don't know anything about the other part of this proposal. We don't know where the land is or what kind of land it is or anything about it. We don't even have a TDR mechanism in our Town Code. I know there is one in the State, but not in the Town. Is this hearing at the right time and place? Will we get another opportunity also when we hear where the land is to have more comment?"

Allen Smith: "The mechanism that any action of this Town Board as the subject of this hearing this evening would be subject to a further hearing where if I can get Mr. Young's parcel back under contract and or others, there are others in the Town that would like to sell at the moment or tillable ground that meets the criteria that's called out in the Holzmacher Study. That would be the subject of that hearing and obviously nothing would get built until that is in place. I tried it the other way. We bought the options. They paid \$10,000.00 for the options and I tried to do this process that way. But it just didn't work."

Councilman Prusinowski: "Allen just to be more specific. So the people understand the type of property that you are looking for is open space that could have a potential or is in active agricultural production."

Allen Smith, Esq. "There are I believe four criteria active agricultural production, good soils in continuous farming for a period of years, the additional factor is whether it is adjacent to existing dedicated farm lands."

Betty Brown: "Just one other question. Is it possible to get an explanation for myself and perhaps other people here? How this was done, the last number of units that were granted? What parcels were used and how they determined the transfer?"

Allen Smith, Esq.: "Same mechanism. Same conditional permit. The ground in that particular instance was identified by soil type. The eighteen acres that some of us know as the Bokina Farm north of 105 was and is owned by Mr. Marvin Warner and it has been inactive production for my lifetime in town. It is essentially potato ground. It's a good soil type and in consultation with the people of the Department of Planning it was a parcel that they were interested seeing in the program. The parcel was accepted into the Suffolk County Farmlands Preservation Program by a resolution of the Suffolk County Legislature at no cost to the taxpayers. Mr. Lee paid for the ground and did the deed into the program. That's the mechanism."

Supervisor Janoski: "Thank you Allen. Is there anyone else present wishing to speak?"

Jerry Silverstein, Warner Court, Calverton: "I know that one of the difficulties that the Board has is that you have to balance development and growth for Riverhead and at the same time look out for what's best for our interest in terms of the environment and other reasons. If we feel at this time looking at the development that we've had in the Town with condominiums, that the market and the need is there to have more condominiums now, it would make sense for us to go ahead and expand the project. If maybe the project at 80 units is sufficient for the need than that would be something that we should leave at that size. If, as Mr. Smith says, the project probably wouldn't be built now and we are talking about either making the proposal a more viable piece of land to sell when it's zoned for 120. I don't know if we want to give up that control. Once land is cleared and once the trees are knocked down, once we put the roads in, once we make all the provisions for building and then if for some reason we don't go through and build it as we had the situation with the Racquet Club we can't go back. We can't go and put those in. Can't put the trees back in and undo that work. So what I think is important if for us to keep that kind of control. Not to be giving it up in the future not knowing what is going to happen. I think we have to just be in touch with the development so that at this moment I personally can't see looking around the area the need to expand the condominiums project when it in fact condominiums projects right now aren't viable and it's better for us to have the land preserved as it is. If at that time when the need is there and this proposal then comes back and they say oh we really have a lot of people wanting to move to Riverhead and it's going to help the tax base and it's really going to help us. I think at that point we might say, wow, this is the time to go ahead, but my recommendation would be not to give up that control when you've got a piece of land that is still in a form that all of us would like to see it. Thanks for your consideration."

Supervisor Janoski: "Thank you. Allen the previous speakers comments lead me to ask a question as to what percentage of the property of the site will be disturbed as far as clearing of land, an actual footprint of building and if you have what percentage of total property would be disturbed."

Allen Smith, Esq. "The total job of 120 units and three buildings in this type of cluster just considering the roads, the parking area and buildings and comparing them to the 81 acres that are there comes up to a percent of moderate coverage of less than 15% of the total parcel. So 85% remains wooded in its' present state under this configuration. If you then follow Mrs. Brown and Mr. Goldman's consideration, and you add in the 18 acres off site, the area used by the job falls to 9% and if you add in the additional 48 acres it drops down to 7.8% of all land area under consideration. It is meant to be a very tight cluster that results in approximately, depending upon which calculation you do, about 85% of the land involved left in its natural state."

Supervisor Janoski: "Thank you Allen. Rob."

Rob Goldman: "Was this a positive deck via SEQRA? Yes. Was there an environmental impact statement? Two. Okay. Thank you."

Cathy DeBorun, Baiting Hollow: "I live on the road that I believe is the road that is going to be used as the access road for this condominiums development. Before you said that you could just come up here and say whether you are for or against it and I know he has approval already for an 80 unit condominiums and this is for an additional 40 units. The only thing I can say is that it means an additional 80 cars and more parking and maybe he hasn't worked that into his site development plan. I don't know. The other part of it was that he was talking about what percentage of the land would be used for this and he said originally 15% and then he kept going down in the percentages based on the other land. But that other land, the part that he is developing on, is the most sensitive part of this entire 81 acres. It's the Sound frontage and I just wanted to say that I think it should be left the way it is."

Supervisor Janoski, "Well, I'm sure it's for sale. He was answering my specific question. I asked him the percentage of the building parcel and what happens when you add in. So that's what he was doing. And please, you have a position. Feel free to speak it. I do get upset when certain words are used here. We try to conduct ourselves honestly and I'm sure the applicant does too. I get a little nervous about that. I appreciate your comments. Thank you. I saw George Schmelzer's hand I think. Did you want to change your mind George?"

George Schmelzer, "It seems that this is a good way to press one's selfishness and greed and hypocrisy by mentioning

environment all the time. It's just a sham. One sham environmentalist should be called maybe. If some people want their neighbors' land left as it is, as long as the neighbor is paying taxes on it, they can look at it and walk on it. So they're very selfish and hypocritical. That's my belief. I don't think they should be given any consideration."

Supervisor Janoski, "George, thank you very much."

George Schmelzer, "Thank you. You're welcome."

Supervisor Janoski, "There are nicer ways to say what you just said but thank you for your comments."

George Schmelzer, "Explain to me. I'm listening. What should I say to make it nicer?"

Supervisor Janoski, "We'll talk about it some other time. Thank you. Is there anyone else present wishing to address the Town Board regarding this application? That being the case and without objection, I declare this hearing to be closed."

8:20 PUBLIC HEARING CLOSED AT 9:22

Supervisor Janoski, "Okay. Ladies and gentlemen, we are going to recess, take a break. We will be back at 9:35."

TOWN BOARD MEETING RECESSED AT 9:22

TOWN BOARD MEETING RECONVENED AT 9:38

Supervisor Janoski, "We are going to continue with the public hearings. Let the record show that the hour of 9:38 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 8:30 P.M.

I have affidavits of publishing and posting for a public notice for a public hearing to be held at Riverhead Town Hall at 8:30 p.m. on Tuesday, August 21, 1990 to hear all interested persons who wish to be heard re: PETITION OF PARVIS FARAZHAD FOR LATERAL WATER MAIN IN SUBDIVISION OF SUNWOOD.

(See water District Minutes)

8:30 PUBLIC HEARING CLOSED AT 9:41

Supervisor Janoski, "Let the record show that the hour of 9:42 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 8:45 P.M.

I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 8:45 p.m. on August 21, 1990 to hear all interested persons wishing to be heard re: **SPECIAL PERMIT OF NATIONAL SURVIVAL GAME.**

Supervisor Janoski, "Thank you."

Michael Hills, 206 Roanoke Avenue, Riverhead, "On behalf of the applicant, the National Survival Game. As you know, we have been operating in Calverton for the past year. The National Survival Game, at this time we wish to move our operation so Splish Splash can come into the location that you have previously approved over to the corner of Fresh Pond Avenue and Middle Country Road. There is a 112 acre piece where the back 60 acres are wooded and there are fields located. We appeared before the Riverhead Planning Board last week and the Planning Board recommended approval of our application with five recommendations that go on the license. We have objection only to number five. I'm sorry. To number four. That is that the special permit be renewable after two years. We have a three year lease for the property and we would want our permit to go for the whole three years rather than come back in midstream of a lease. I don't believe that the Planning Board was aware of the three year lease at that point last week. Other than that we certainly will go along with all the recommendations that the Planning Board has. Are there any questions?"

Supervisor Janoski: "Thank you Michael. Is there anyone present wishing to address the Town Board in the matter of the application of Survival Games?"

Town Attorney, Patricia Moore: "The previous application was for the site where you are presently located had certain conditions on it. Would you accept the conditions at the other site?"

Michael Hills, Esq.: "I don't believe that we had too many conditions there."

Town Attorney, Patricia Moore: "I think it was like telephone, excessive (inaudible - two people talking)"

Michael Hills, Esq.: "If it is the same conditions then they will take them."

Councilman Lombardi: "Is that place policed everyday after they are finished? You know picking up the -----"

Michael Hills, Esq.: "It's policed every weekend John."

Councilman Lombardi: "Because I went down to the other one and I hope that it would be policed up."

Michael Hills, Esq.: "I spoke to Jerry Braun about that and he said that it is policed at the end of every weekend. And the portolabs are cleaned out every weekend."

Fred McGinnis, Timber Park, Calverton: "I would like the gentleman to be more specific where this property is located on Fresh Pond Avenue and 25."

Michael Hills, Esq.: "The survey that they are looking at shows a wooded acre in the rear portion of the property. Just in front of the wooded acre, which is where the fields will be, there is a dirt road which is going to be the entrance to the property. There is going to be no construction of road and the parking is going to be over there. The road is going to be on Fresh Pond."

Supervisor Janoski: "Mr. McGinnis still has the floor. Do you have further questions, Mr. McGinnis?"

Fred McGinnis: "As a resident of Timber Park in Calverton, I oppose this because it's near homes. Mr. Thurms is in the process of building homes up there and as it is when I take my dog up there, there is garbage laying in there that other people have thrown in there. When you walk into the woods there are cans of waste, chemical materials are laying in there."

Supervisor Janoski: "I don't know what that has to do with this application, Fred."

Fred McGinnis: "I oppose this."

Supervisor Janoski: "Fine, but what does the existence of cans therefrom somebody else have to do-----"

Fred McGinnis: "From somebody else, right."

Supervisor Janoski: "Okay."

Gordon Hagan, Baiting Hollow: "I live within about a mile and a half of this place. Most of this land is wide open. Cleared land. How do you play war games on cleared land? You want to play it on clear land go to Saudi Arabia. You can do all you want over there. It doesn't make any sense to me to put this in here. You are going to destroy the woodland. You're not going to have anything there."

Michael Hills, Esq.: "The games are not going to be played on the cleared land and they are being played in the woodland. That's the purpose of the games and we have been operating in Calverton and we have not had a problem with adjoining homes or the Long Island Expressway as was originally envisioned when you had the hearing on that property. As far as the cleaning of the land, it's going to be cleaner when we are there than it is in its present state."

Donna Krueel, Timber Park, Calverton: "My main concern is the traffic through that area. If it will be a problem? How many cars are you talking about and will you be operating only on weekends? Is that area now marked by yellow police tape. The yellow police tape in that wooded area at this time, is that the marked area where these games are going to be played or does that mark a buffer zone or something like that?"

Michael Hills, Esq.: "The number of cars that we are going to have in answer to the traffic question. At the present site we get about 60 cars maximum on the weekends. The Planning Board has recommended parking for 75 vehicles and that is what we envision as having as a maximum on the weekends. As far as the marking on the property I don't know what they are. We haven't marked them."

Ann Miloski, Calverton: "I live in the area where the survival games want to be. My concern is not only that I am opposed to it, but also I'm a little bit worried about these national survival men when they come out during hunting season because directly across the street is where we have the Suffolk County place where people can hunt. From November on during the hunting season we are forever calling the police to come down to get these men off the property where they shouldn't be. Now I hope that these men who want to do this shooting across the street from us aren't going to be doing the same thing as the hunters, going where they don't belong."

Michael Hills, Esq.: "Certainly I hope the hunters don't come after the people who are using the Survival Game. Again we operated last fall during hunting season over in Calverton and we haven't had the problem. There has been no problem to my knowledge. There has been one complaint to the Police Department about any of the people who have used the Survival Game causing any problems within the Town of Riverhead."

Fred McGinnis: "There's a developer right across the street from where they want to be. Building one acre estate lands. He wants to sell property there and the houses start at \$250,000.00. Putting this thing there will be detrimental to that piece of property. It goes along South Path and takes in Fresh Pond Avenue. Richard Norwalk is the builder, but he just sold out to another builder. I think it would be very detrimental to put this in there. We would like to have homes there. That is what we are interested in."

Supervisor Janoski: "What is the zoning Michael?"

Michael Hills, Esq.: "Industrial, residential and also I understand that there is presently a subdivision an application for this property and eventually after our three year lease goes out they are looking to make that into a residential land. The application----- (interrupted)"

Supervisor Janoski: "Michael, let me just say that you cannot subdivide for residential purposes industrial zoned land."

Michael Hills, Esq.: "I'm just saying that I know part of it has an application on it."

Supervisor Janoski: "They can have a lot of applications, but ----- So Fred the answer is that you cannot build homes on that land. I don't know if you missed what we just said."

Fred McGinnis: "Where they want to build homes, they can build homes."

Supervisor Janoski: "Sure."

Fred McGinnis: "That's right across the street from where he wants to go. Maybe eventually we can get the ordinance changed so that we can build homes on that land."

Supervisor Janoski: "One of the things that I am most proud of during the ten years that I have been here is removal of residential uses from industrially zoned land. I hate to put it back."

Michael Hills, Esq.: "I would just like to say something about complaining about somebody else's land. We did give notice to that party who is Raco, Inc. We received a call from Charles Forman who represents them and they've got no objection to this."

Eleanor Hayes, Timber Park, Calverton: "I am very much opposed to this. I do not like the idea of 60 or 75 cars every weekend in my backyard because that is where it will be. Thank you."

Scott Hygom, Baiting Hollow: "I use Fresh Pond Road to get to and from 25 to Sound Avenue. I have a heck of a time now with traffic on 25 to make the turn into Fresh Pond Road. Weekends, weekdays traffic is getting heavier as traffic is building. With 70 to 75 cars maybe as a maximum. That is going to produce quite a problem at that intersection of Fresh Pond Road and 25. So I'm opposed to it. I'm opposed because it being so close to residences now. There a lot of deer in the area and if these guys start going and playing their games. We always have to be careful of deer down Fresh Pond Road jumping out in front of us all the time and if they are going to be in there playing games and scare the deer back out into the road it might be again another problem for the traffic."

Councilman Prusinowski: "Since I didn't have the privilege last time, I read about it in the papers. The famous hearings you had. How many people on the weekends do you get to play these games? On an average?"

Michael Hill, "In the present location, we get about 160."

Supervisor Janoski, "How many acres is this property?"

Michael Hill, "One hundred and twelve."

Supervisor Janoski, One hundred and twelve industrially zoned acres. And you're saying a hundred and how many people would use this? How many did you say? One hundred and sixty people use these 180 industrially zoned acres and you think it's excessive Fred? What if there was a factory there employing 400 people?"

Identified Man, "When we come out of Fresh Pond Avenue now onto 25, we can't get out."

Councilman Prusinowski, "I want to ask you another question. Approximately what time do the games start?"

Michael Hill, "They get there starting about 8 o'clock in the morning."

Councilman Prusinowski, "And they go all day and all night and they leave Sunday?"

Michael Hill, "No, no. They do not play at night. They don't play in the dark. They usually play to about 4 o'clock in the afternoon."

Councilman Prusinowski, "And then they go back to wherever."

Supervisor Janoski, "How far from the site that you're proposing is the current site, roughly?"

Michael Hill, "About a mile."

Supervisor Janoski, "About a mile. They have been operating for two years on the same highway. Have you noticed any terrible...?"

Unidentified Woman, "It's a different situation."

Supervisor Janoski, "I'm sorry I asked. Michael, thank you. Is there anyone else wishing to address the Town Board? I want to say something. No, Joe hasn't spoken yet. We'll get you George don't worry."

Joe Sykora, Riverhead, "I'd like to know where all these people were when the first public hearing was on these war games that they're complaining now. It's not in their backyard before. Now it's in their backyard so they're complaining."

Supervisor Janoski, "Fred, you've spoken twice. I'm going to recognize George and then we'll give you a shot again."

George Schmelzer, Calverton, "You don't realize we have bigger survival game. Look what we have to survive this Town Board. The County Legislature, the State Legislature, Congress of the United States, all the d--- bureaucrats in between that they hire. So this survival game is only puny. Let it be. Before it didn't bother anybody. Some things bother everybody. I got no objection to it. Let it go."

Supervisor Janoski, "Thank you George. Take as much time as you want. I didn't say that."

Cindy Rider, Timber Park, "I have a question to address. I have three children of my own and I'm a Cub Scout Leader and very involved with the children in the neighborhood. I want to know what protections will be allowed to protect the children from getting into the war games on the weekends. They're right across the street. They all ride their bicycles around the neighborhood. We can't follow them but I'd like to know what kind of safeguards there will be to protect the children and that should be a concern."

Supervisor Janoski, "Well, I'll let the applicant's attorney answer that question."

Michael Hill, "Just to make sure I understand the question. May I address her Mr. Supervisor?"

Supervisor Janoski, "I wish that you would talk to us but I'm sure she can hear you just fine."

Michael Hill, "Number one; the war games or the survival games does not allow children to play. No one under the age of 18 can play here. If that was her question. If it was the fact that children are going to be riding their bikes and riding onto the fields or going into the woods, we do have people patrolling the area and again we haven't had a problem with it at this location. The fields are within the woods but they don't run up adjoining to the roads. It's substantially off. That's how we had kept a buffer zone between the present location and the Long Island Expressway and the road that is in front of our present property. And Mr. Yakaboski's farm which is on the east side of the property. And again, no children have been there before. Not to say..... Hopefully we'll never have children there. Certainly parents in the area should advise their kids that they shouldn't be going near there if they're that concerned about it."

Supervisor Janoski, "Wait a minute ma'am. This is not a give and take, tit for tat."

Cindy Rider, "I just want to add. Is the area that you are now presided in, does that have a fence around it? Will this new area have a fence around it too?"

Michael Hill, "We don't have any fence. We have done no construction there. The only fence is adjoining the Long Island Expressway. What we have is we set up boundary markers which are tape which outline the property and outline the fields."

Councilman Prusinowski, "Mike, I asked you something earlier tonight because I saw you earlier. What are the range of those weapons that shoot the die or the paint or whatever it is? What is the range?"

Michael Hill, "I believe it was 200 feet."

Councilman Prusinowski, "And how far is the buffer from the road?"

Michael Hill, "That's a legitimate question that should be asked. It was in excess of 200 feet I believe Vic. That we made sure none of the pellets, the paint pellets could go outside that area."

Councilman Prusinowski, "Because there is a difference in the two locations. And I'm aware that you sued the Town once before to get the permits. So you're telling me the buffer zone... I think the question is and what came to mind with these pellets, that we would have to probably want to talk to you about convince us.... At least in my particular vote that there would be no.... Well, there could be somebody wandering by the road and I agree with the kids."

Supervisor Janoski, "I am going to direct the Town Attorney to write up a denial based on the comments at this public hearing. I'll see you in court. We get our a---- beat."

Councilman Prusinowski, "That's not what I'm saying Joe. What I'm saying is to talk to him about... I just bring out the point that we're going to try to make a system where the range of these things don't... We want to prevent an accident."

Michael Hill, "Victor if I could just... I understand your question. My client has had a location in Platikill for at least ten years now I believe. We've had this location for a little bit over a year. We haven't had the problem. The only kind of injury that we have had in the survival games at the locations that my client has run have been people who have sprained their ankle and I believe there was one broken leg. Not outside people. Only people who play the game."

Councilman Prusinowski, "It's not my intent to gum up the works for a denial Joe. What I'm saying is that making an approval you could put in some things. Like every other applicant that comes before the Town Board."

Supervisor Janoski, "Fred, yes."

Fred McGinnis, "I want to address the fact of traffic. I'm not talking about the woods or being in the woods. The traffic congestion that you'd have coming out on Fresh Pond Avenue. The first thing you'd have to do Joe, is appeal to the State to put up a traffic light. That's the first thing you'd have to have. Because where they are now, they're on a dead end street. They go across the road on 25 and they go into the side and they go down the road to a dead end. There's only about three houses or two houses on the street."

Supervisor Janoski, "Fred, how do you figure they get to that dead end street?"

Fred McGinnis: "They come down 25 or come right off the Long Island Expressway. They might even come up Edwards Avenue and go down there."

Supervisor Janoski: "So Fred what you are saying that a person should be told that they cannot use their property, industrially zoned property because cars are going to go to their property."

Fred McGinnis: "They are going to be too heavy and too congested on 25 and Fresh Pond Avenue."

Supervisor Janoski: "How many acres are you saying there was? 112 industrially zoned acres. Industrially zoned acres. And you are saying that 100 plus cars----(interrupted)"

Fred McGinnis: "Mr. Baldwin used to work that property as a farm."

Supervisor Janoski: "But Fred, it's industrial zoned."

Fred McGinnis: "I grant you that."

Supervisor Janoski: "Don't grant me that, it's a fact."

Fred McGinnis: "I grant you that, but the traffic conditions on Fresh Pond Avenue and 25 is going to be very great."

Supervisor Janoski: "What would you like to see on that property?"

Fred McGinnis: "You know what I would like to see? I would like to see homes which I won't see. Not in my lifetime, but maybe down the line we will."

Supervisor Janoski: "I'll tell you that if anybody proposed homes on that parcel we would hear a whole bunch of other people opposing that."

Fred McGinnis: "I don't think so."

Supervisor Janoski: "I guarantee it."

Celeste Voegelin, Calverton: "I'm not opposed to the survival games. I think perhaps it's the lesser of many evils that are befalling us on the East End. I do think the property is substantially different than the property that they are located on now. I think getting to and from it is an entirely different matter than it is now. I don't think necessarily that traffic is going to be a problem. Perhaps at the times that they are operating people are going to be riding early on Saturday morning, leaving late Saturday evening. I'm not even sure of their hours of operation. I don't see that necessarily as a problem. I do see a potential problem with children in the area. Because having been a mother for many years, I know you cannot police your children 24 hours a day. And there is no way that you are going to keep children out of that area. Our kids have been on that road for 20 years, back and forth on their bikes and children are curious. The location that they are in now, there are not that many children who live around there in the first place and in the second place they are off the main drag. I think to compare the two is a totally different thing. As far as the children are concerned, I think what we need to do is to make some safeguard such as fencing or some other way to keep children out. Because just patrolling it by bodies, I don't think that you are going to keep children out of there."

Supervisor Janoski: "I know that many people who are at this meeting tonight are not regular visitors to the Town Board Meeting and I recognize the workings of government may not be that clearly understood. This is a special permit application. There are many people who are sitting in the audience who believe that this Town Board can do whatever it wants with this application. It is not true. We denied Survival Games the last time they had an application before us and we had a list of reasons which were better than the reasons I heard here tonight. And I am very tempted to take your testimony and put it into a denial and invite Michael to take the Town to court because you can't deny it because somebody else dumps some cans in there, Fred. You can't do it. You can't deny it because you would rather see homes there, Fred. I don't know how to approach this. I understand that you don't want that next to you. I wouldn't want that next to me. But we've got to have legitimate reasons that will stand up in a court of law to deny any special permit application. Having said that I will invite anyone else who wishes to speak. If not I will close the hearing. Yes sir."

Gordon Hygom: "What you have just told me is that I have no rights. I have no rights whatsoever. Because if I voice an opinion against it he is going to take it to court and the courts are going to say you are wrong. Where's my right?"

Supervisor Janoski: "Misunderstand. You misunderstand."

Gordon Hygom: "No I don't. I've seen it happen time and time again. A guy comes in to build a complex and he gets turned down by the Town Board or whomever and he takes it to court and he wins. Where's our rights?"

Supervisor Janoski: "When you stand up to the microphone and oppose or favor something, part of the hearing process is that you tell us why, which many of the people have at this hearing. They have said why. I'm telling you that you've got to have legitimate reasons."

Gordon Hygom: "They think it's legitimate."

Supervisor Janoski: "Well I'm opposed to this, I don't want to see it there. That is an emotional response to an application. I think that we have heard here about the possibility of children crossing that line, getting onto the property. Suppose that somebody was building any kind of a structure there is that possibility too."

Gordon Hygom: "You don't think that's real. Usually if it's a factory it's fenced."

Supervisor Janoski: "Absolutely."

Gordon Hygom: "This is not. Let them fence it. Maybe that will be the answer."

Supervisor Janoski: "We can discuss that. But what I'm saying is that we have these public hearings to illicit from you your position and your reasons for that position. And believe me my position right now is write up the resolution, take the testimony, make it part of the denial and we see what happens. We've gone through this before. I don't particularly want to go to court again on this, but Michael I'm sorry. I get very frustrated."

Ed Ryder, Calverton: "I would like to see a working situation developed here in which you can't deny them a permit or whatever. But impose some type of guidelines to take everybodys gripes into consideration."

Supervisor Janoski: "Absolutely. That's part of what we do here. I just try to point out the legality of the situation. And I want you to remember something. Last time we held this hearing, on this application, not on this particular one, but at the present site was the time of the sniper. You want to see emotions run rampant. You should have been in this room. There wasn't anything that anybody said on that emotional level that could stand up as a legal reason to deny the application. It was emotionalism. Why do we want to have people running around the woods shooting at one another with these little pellet guns when there is a guy out there shotgunning people? And you see the connection, but law doesn't see the connection. That's all I'm trying to say is we have to work within guide lines."

Ed Ryder, Calverton: "I would like to see or try to develop a working situation. There are a lot of businesses down the road that could take advantage of the situation with restaurants, people could be coming out to eat somewhere, etc. It will increase interest for our business."

Supervisor Janoski: "If the zoning is present for restaurant development and I don't think it is in that general area. The closest business development is that little strip where Mrs. Miloski has her business. It is the only business strip around. Are restaurants going to pop up next door? No. Because the zoning does not permit it."

Members of the Board: "He meant existing businesses."

Supervisor Janoski: "I misunderstood. But the zoning there is agricultural, industrial with a little bit of Business CR in the area of Mrs. Miloski which has two restaurants, Mr. Nasas being one of them."

Denise Civiletti: "Do you know off the top of your head whether or not this is in the ACOUZ zone, this property?"

Michael Hills, Esq.: "I don't."

Supervisor Janoski: "The fact that it is industrially zoned would indicate that indeed it is. Easy enough I've got the book filed away somewhere."

Councilwoman Civiletti: "I've got the map. I just thought maybe you knew."

Jerry Silverstein, Baiting Hollow: "One question that I think we ought to think about. My guess that people who go to Survival Games also might at the end might be somebody who wants to have a cold drink and might bring a cooler. It might help us if they are going to be there if maybe we would have the police there just to supervise the traffic just in case we might have a couple of people on the road who have been drinking."

Supervisor Janoski: "If the approval of this application depends on Riverhead Police being on duty there it doesn't have a ghost of a chance."

Jerry Siverstein: "What I'm saying is that when it's put next to-----I don't know if they have restrictions."

Supervisor Janoski: "No alcoholic beverages. That was the condition of the last one."

Michael Hills, Esq.: "We don't allow it. We tell the people that they can't bring-----they have to buy the best barbecue chickens and ducks at Miloski's."

George Schmelzer, Calverton: "Seventy five cars pass on Sunday in 15 minutes if you count the cars both ways. It doesn't matter if there are a few more cars stretched out during the day."

Supervisor Janoski: "Is there anyone else present wishing to address the Board on the matter of this application? That being the case and without objection I declare the hearing to be closed. Thank you Michael. Let the record show that the hour of 10:15 P.M. has arrived and the Town Clerk will please read the notice of Public Hearing."

P U B L I C H E A R I N G 8:55 P.M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a Public Hearing to be held at Riverhead Town Hall at 8:55 P.M. on Tuesday, August 21, 1990 to hear all interested persons who wish to be heard regarding, AN AMENDMENT TO ARTICLE 23, RESIDENT RCD (RETIREMENT COMMUNITY) OF THE TOWN CODE."

Town Attorney, Patricia Moore: "This issue was actually raised by Mr. Sykora during one of our public hearings. This is for the Retirement Community Zoning District which did allow for 62 and older persons to occupy the unit. At least one of the individuals being 62 and older."

Audience: "Can't hear you."

Supervisor Janoski: "This zoning allowed for residential retirement development, the age was 62. We want to recognize reality and make it 55 years old. Does anybody want to address the Board on this proposal?"

Allen Smith, Esq.: "I was the draftsman of this particular act back when it was put into the code and I recognize that the age was too high and I recommend that you amend it to a lower rate. In the context of John Wesley Village I've served formally and informally on that Board since. The age is too high."

Supervisor Janoski: "Thank you Allen. Anyone else? That being the case and without objection I declare the hearing to be closed. The hour is now 10:17 P.M. and the Town Clerk will please read the notice of Public Hearing."

P U B L I C H E A R I N G 9:00 P.M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a Public Hearing to be held at Riverhead Town Hall at 9:00 PM on Tuesday, August 21, 1990 to hear all interested persons who wish to be heard regarding, A PROPOSED AMENDMENT TO ARTICLE II, INDUSTRIAL "A" DISTRICT (LIGHT INDUSTRY) OF THE TOWN CODE."

Supervisor Janoski: "Industrial Zoning of the Town of Riverhead currently permits by special permit use gas stations and car washes. What we are proposing here is to remove those two uses from the Industrial Zone. Is there anyone present wishing to address the Town Board on this matter?"

Allen Smith, Esq.: "I wish to speak in opposition of the proposed amendment, Mr. Supervisor. I invite the Board to review the uses permitted as special in the code before they act upon this application or proposal, it's not really an application, I guess. My professional career goes back to Ordinance 26, the initial zoning ordinance of the community. I believe that an examination of that ordinance will show that these particular uses were put into those industrial areas purposefully. The record before the Board this evening, unless it is amplified, does not indicate a reason why the several decades of codification of these particular uses at this particular moment should be changed. If anything, what you've witnessed by reason of the regulations and required the necessary upgrades of the gasoline service stations in the community that you have less and less with the resulting and lessening competition. There is no, as far as I can tell from the record, master plan justification for the proposed change and if this type of use is not an industrial use or industrial like use, I'm not sure that it's business use or what it is, if it doesn't belong in an industrial classification. I don't think it necessarily belongs in the more countrified rural zoning classifications that we have created and imposed in the community. I would simply ask the Board before it makes a decision on this particular proposal to examine uses that are there and determine for themselves whether or not these uses are anymore or less onerous damaging the health, welfare or safety etc. of the community then any of the other uses in that classification. Mr. Mohring will address specifically what this might mean with reference to the parcel that was the subject of the hearing earlier."

Supervisor Janoski: "Thank you Allen. Is there anyone else who wishes to address the Board in this matter? Yes sir."

Richard Mohring: "I just purchased the parcel that was just presented to you tonight. The reason I purchased that parcel was because car washing was permitted. I spoke to a broker and said find me an area where I do not have to go through a zoning change hassle and be permitted. He found me the corner on Warsaw Drive which was a permitted use. I then purchased the property for \$250,000.00 to go ahead with my car wash. If I wanted just to purchase just industrial property I wouldn't have paid \$250,000.00 for that acre. I then went and I think we went through two steps of the process (was it two steps, Allen) and now we are going down on the home stretch and your looking to pull it. I don't think that is right and that was the only reason I was interested in the property to begin with. And the case in point on Warsaw Drive is I believe there are 15 or 18 lots in there and I'm the only one that is sold. Mr. Reese has been

trying to sell that property and there is no market out there. I go \$250,000.00 because of the road frontage and the other lots continually drop to about \$100,000.00. So I paid the premium for that lot and that was to obtain the car wash gas station. If this is denied, I've got a piece of property that I don't want to build a factory. If I want to build a factory I'll go to the survival game piece and pay a lot less than \$250,000.00 an acre. I wish that you would reconsider this. Thank you."

Peter Danowski, Esq.: "Pending before the ARB has been some plans by the Long Island Cauliflower Association at Mill Road and County Road 58. Included in the potential plans there has been a car wash and those plans have been submitted and have been primarily reviewed and the firm of Young and Young has done a pretty extensive set of plans dealing with the site plan work for that particular establishment. So with regard to that particular applicant, similar to Mr. Mohring, we would certainly object to the change and if you are going to consider such a change that you at least grandfather in my particular client."

Supervisor Janoski: "In relationship to Mr. Mohring's property, aren't you right across the street?"

Peter Danowski, Esq.: "We are next door as opposed to right across the street."

Supervisor Janoski: "How many car washes do you think Route 58 can support?"

Peter Danowski, Esq.: "How about the reverse question? The price can go higher and higher when you only have one car wash in Town. What's wrong with competition?"

Councilman Prusinowski: "Peter, is your car wash going to have a convenience store too?"

Peter Danowski: "There is no suggestion for that. The two uses that have been made known to the Riverhead Town Planning Department is a John Deere Agency and a car wash."

Councilman Prusinowski: "Just for the record because I was the one that questioned this with my background. To be fair to this proposal you know that the industry that the retail market has changed dramatically with the convenience stores. The gas stations that we know today will be phasing out completely. Everybody's going to the convenience stores, including 7-11 by the way, from most parts around the country. When this original code was written many years ago gasoline service stations never had convenience stores which increased the retail traffic. If you look at the Hess Gas Station, I would say that over 30 to 40% of their customers now are not buying gasoline. They are pulling in and buying cigarettes, ice and beer and stuff like that. That was one of the thinking behind this. We can discuss this another time and I'm sure that Allen will want to talk to me about it. So that

particular of type of thought was going in it and that increases the traffic onto Route 58 and when the industrial uses were written many years ago that was not even in existence because there were gas stations and there were delicatessens too. Today that is not the case at all."

Peter Danowski, Esq.: "Of course your proposal is not suggesting that we are merely modifying, allowing car washes or gas stations without those conveniences. You are eliminating them completely by this proposal. And as you suggested in the war games proposal, certainly industrial uses, if it is going to remain industrial, will generate traffic."

Councilman Prusinowski: "Yes. But also industrial uses if they come into the Town of Riverhead will also generate jobs that are meaningful and in the \$20,000.00 to \$30,000.00 range. Where it has been my experience in the retail field that some retail store jobs don't pay as high. I am very sympathetic to Mr. Mohring. I didn't realize that he purchased this property with the sole intention of that specific use and we will have to address that when we make our consideration. It is a big difference in generating retail jobs and generating industrial type jobs like we have in Additive Products and Adchem and some of the other projects because there are the types of jobs that a community really wants to generate as far as I'm concerned."

Peter Danowski, Esq.: "Or I guess the question that you are going to discuss with your Town Attorney as a Board is whether you can prohibit car washes and prohibit gas stations in the Town."

Supervisor Janoski: "That is not the fact Peter."

Peter Danowski, Esq.: "Well that's not----as Allen is suggesting study where you are going to allow them to exist."

Supervisor Janoski: "There is a zoning in the Town Code, Highway Business which was-----anyone else, Howie."

Howard Young, of Young & Young, Riverhead: "I'm really sick to my stomach over the government in this Town and as some of you know from my actions from this building because you've become a reactionary government. Everytime somebody proposes something you want to pull the sheet out from under them. I also notice tonight you are very thin skinned. We can't call you names or anything, we have to be very polite to you."

Supervisor Janoski: "Howie you have been calling me names for years."

Howie Young: "And I'm going to continue. I would like to know who originated this idiotic idea of removing gas stations and it seems to me that the amount of planning that comes out of this building you could put in a thimble and have room enough

left over to put some of the brains in this outfit. I'm serious Joe. Where did this thing start? Now you forced cars and everything to do with cars into the industrial area as with car salesmen. Now all of a sudden we can't wash a car. A guy can't own a business on Route 58 in an industrial area. Make your zonings wrong, but there are two applications in here for a car wash and you want three applications (so I'm wrong, Joe, I'm not always right)"

Supervisor Janoski: "In fact I think it's four, but we'll settle for three."

Howie Young: "I think it's just utterly disgusting and I'm ashamed to live in this Town. Now if you guys really want to do something go walk down Mainstreet and walk around this Town. In front of Rose Jewelers today there are five bricks and a signpost has been laying there for over a year. Wake up and look around and see what is going on. I've been walking my wife down there for a year now and there are five bricks and a signpost laying on it. Go look at the streets in this Town. Go look at the sidewalks. Want don't you do something for this Town instead of everytime somebody wants to do something positive tear it out from under them. Wake up."

Supervisor Janoski: "Thank you Howard. Is there anyone else wishing to address the Board in the matter of this change of the industrial zoning? Howard I've got to tell you something. Howard I am speaking."

Howie Young: "Just don't point your finger at me Joe."

Supervisor Janoski: "You pointed your finger at me, Howard."

Howie Young: "You're d--n right and I'll continue to do it. I'm not an elected official and I'm an honest taxpayer in this Town. You can tell me anything you want."

Supervisor Janoski: "I want to tell you-----."

Someone from Audience: "Give the man a chance."

Howie Young: "You mind your own business."

Someone from Audience: "I am minding my own business, give the man a chance. He listened to you. Give him a chance."

Howie Young: "That's (inaudible) job."

Supervisor Janoski: "I'm sorry, I quit. Yes, ma'am. Do you want to speak on this issue here?"

Speaker in audience (unknown): "No."

Supervisor Janoski: "Is there anyone who wants to speak on this issue? Without objection this hearing is closed at the hour of 10:30 P.M. Yes, ma'am."

Cindy Reiter, Calverton: "Can I bring up the new business, please."

Supervisor Janoski: "Yes."

Cindy Reiter, Calverton: "We are in the process of getting names on a petition from residents in our position to the site where Omni Technical Services wants to put their recycling and composting plant. We are not against recycling compost. We are against the site. But I would like to thank all my neighbors that are here tonight and have been waiting awhile, but it is for the record. I would like to bring it to the Boards attention that we were planning on bringing petitions here tonight, but a lovely man picked them up. A man from Omni. His name is Mark T. MacIntyre. He went into the deli in Calverton and picked them up. How did you know about this?"

Supervisor Janoski: "I heard that you were going to deliver petitions."

Cindy Reiter: "We were planning on it. We have 263 names already on our petition. That was the largest one that was sitting in the deli. So we were wondering if you could look into this. Is this the kind of people that you are going to be dealing with?"

Supervisor Janoski: "What you are saying is that this guy went around to the locations and took them. I thought that he was going to deliver them for you."

Cindy Reiter: "And he left his calling card. I went in tonight to pick up the petition and the lady said to me somebody already picked it up. Somebody who is in charge. I said, 'How can that be?' She said he left his calling card. So I would like to present this to you and I would really appreciate it if you could look into it and get back to me. I have one more question. Do you know when the DEIS will be complete and when the public hearing will be?"

Supervisor Janoski: "I will say to you that it should be at the end of this month or early in September."

Cindy Reiter: "Okay. As soon as we get the rest of our petitions back we will be presenting them."

Councilwoman Civiletti: "Have you called that fellow?"

Cindy Reiter: "As a matter of fact I went to pick it up at 7:20 right before the meeting. I will be calling him. Thank you."

Steve Haizlip, Calverton: "First comment. I am sorry that Mr. Howie Young is going to think more or less of me. But I say that when someone is speaking, please be quiet and let the man speak. I respect people that way. I don't keep a cutting them off.

At the last meeting there was a resolution that was read out and voted on. I did not understand it. It was Resolution #545. So I made it my business to find out what that resolution was about. The way it was worded it was talking about Suffolk County Environment Trust Fund to buy some land. It didn't specifically say what land etc. It was in the contents of the resolution."

Supervisor Janoski: "Steve, let me answer you. Okay. There is a program in Suffolk County which is based on a sales tax a quarter percent of the sales tax which was approved at least two times by the voters in a referendum. Part of the revenue which is received from that quarter percent is supposed to be earmarked for land acquisition within each of the Towns of Suffolk County. What we did at the last Town Board meeting was to identify a parcel of property that we would like to see acquired. Buy the property using that money. The property that we identified was the Warner Duck Farm which is right on the river out there in the Calverton area."

Steve Haizlip: "I was well versed on all that because I had it all explained to me when I was inquiring about it. But now the other point that I want to make. I called up Mr. LaValle's office and talked to his aide. I wanted to know why the legislators voted that River Scenic View Act or whatever they call it into place without realizing what they were doing to this Town and this Town has been sitting here on this bank for 200 years or whatever it has been in business. His answer was that the Legislature did not realize that they were imposing a hardship on this particular river. The main implication of the legislation was Up State or Mohawk Rivers and things like that. Where it has more scenic view and not buildings cluttered up on the bank."

Supervisor Janoski: "That's what they said Steve."

Steve Haizlip: "Hey, I'll tell you verbatim."

Supervisor Janoski: "That's what we've been trying to tell them for the last five years."

Steve Haizlip: "And John his aide says that I don't lie about it. And I don't. Here's where the kicker comes in. Mr. Jorling wrote the rules and regulations. The rules and regulations were posted as a public hearing. Presumably that's what John tells me they had public hearings around the State on this. You know public hearings get into the paper. People pass over them briefly and they are not interested and they don't read them. I'm saying maybe that's what happened here with the Town and then at the last minute it was honest. You referred to Mr. Jorling and the DEC Commissioner of taking the land. Well I'm

going to go one step further and I just think that it is communist domination and take over."

Supervisor Janoski: Anyone else wishing to address the Town Board on any subject before I take up the resolutions? George."

George Schmelzer: "Gee I was surprised a few minutes ago, John turned his head a certain way and he looked just Richard Nixon. But no he doesn't look like him. The truth is hard to get out, what started this off. About this here river nonsense. It started off when Senator LaValle and Joe went down the river in a boat and sometimes I wish the boat had hit a rock and turned over in shallow water not in deep water. For thirty one years now we've got this zoning nonsense in Town was brought up to help the morals, safety welfare and health of the people. We've got some morals around town now. People get broken into. Kids are loaded with dope, burglaries. Just look at Main Street around Peconic Avenue. Is that what zoning brought us? Maybe you ought to devote your efforts to some of that. Getting rid of some of that instead of harassing people with all these d--n ordinances. If somebody wants to spend their own money----huh"

Supervisor Janoski: "You want us to arrest them with other ordinances?"

George Schmelzer: "Don't harass the people who are enterprising, trying to create something. All these d--n ordinances and hearings. We've got too many lawyers in Town too because they feed on this stuff. Any lawyer in here now left or did they all go home. Let's see."

Supervisor Janoski: "George thank you very much for your comments, we appreciate them."

George Schmelzer: "You really do?"

Supervisor Janoski: "Yes."

George Schmelzer: "Really the morals of the Town are really shot."

Councilman Prusinowski: "It happens to be nice Town and I am sick and tired of hearing the negativism about Riverhead tonight. I totally disagree with what Howie Young said and I'm really p___d at him because we have done a lot of work around this Town for these guys. So George why don't you just sit down and just quit it. Just sit down all right. You know there are a lot of people who work a lot of volunteer; I worked all weekend at the Polish Town Fair. A lot of people in this Town put a lot of volunteer work into this Town to make it a nice Town to live in and I like this Town and it is a good Town. We have our problems like every other Town and everytime I come up here and hear this kind of negativism, I don't like it. We are our own worst enemies. So let's just sit down and get on with the night of business. Let's go."

Supervisor Janoski: "Thank you George."

George Schmelzer: "Okay. Geez, he's really mad isn't he?"

Councilman Prusinowski: "I am mad."

Supervisor Janoski: "Let's take up the resolutions."

R E S O L U T I O N S

Supervisor Janoski: "Wait a minute. We have on the table a resolution. Does anyone wish to make a motion to bring it from the table?"

Councilman Prusinowski: "I make a motion to move off the table that resolution approving the site plan of Southland Corporation."

Town Clerk, Irene Pendzick: "That's #544."

Councilwoman Civiletti: "Second."

Supervisor Janoski: "Resolution #544, tabled 8/7/90. There is a motion to take from the table. Is there a second?"

Councilwoman Civiletti: "I seconded it."

Supervisor Janoski: "Moved and seconded to take from the table."

Town Clerk, Irene Pendzick: "Number 544 Approves Site Plan of Southland Corporation taken off the table by Mr. Prusinowski and Seconded by Miss Civiletti. Call to vote."

Supervisor Janoski: "Yes."

Town Clerk, Irene Pendzick: Prusinowski, yes; Stark, yes; Civiletti, yes; Lombardi, yes; Janoski, yes.

THE VOTE FROM THE TABLE 5 YES

Supervisor Janoski: "Now on the question of the site plan approval is there a motion?"

Councilman Vic Prusinowski: "I make the motion to approve the site plan of the Southland Corporation."

Councilwoman Civiletti: "Seconded."

Supervisor Janoski: "Moved and seconded."

Town Clerk, Irene Pendzick: "Prusinowski, yes; Stark, yes; Civiletti, yes; Lombardi, yes; Janoski, yes."

The vote: 5 YES

**Resolution #561 DENIES CHANGE OF ZONE APPLICATION OF
CHESTERFIELD ENTERPRISES**

Introduced by Councilman Stark and seconded by Councilman Prusinowski.

Councilman Prusinowski: "I don't agree with this resolution and I am going to vote no on it because I think there is a need in Riverhead for this type of moderate priced housing. Two years ago when I left the Town Board we appointed Affordable Housing Task Force which set a goal for the Town of 650 units and I believe it sends the wrong message out to the business community throughout Suffolk County and Nassau. We are trying to attract the type of industry that we need for Riverhead. We need to have some type of moderate housing, affordable housing, low income housing. This is definitely moderate housing. It's for two family people that have probably incomes \$40,000.00 to \$80,000.00 and are working hard today. I think the project should be approved and I vote NO on this application on this resolution. --

Councilman Lombardi: I vote No because I feel that this project should have been done two years ago. The man was asking for 130 units and he is down to 102 units. The price is around \$95,000.00. Its single units. Was before condo type buildings. He has changed it to single units which he brought in yesterday. I vote no on it.

THE VOTE: Prusinowski, no; Stark, yes; Civiletti, yes; Lombardi, no; Janoski, yes.

VOTE 3 YES and 2 NO

Town Clerk, Irene Pendzick: "The resolution is carried."

Resolution #567 - (Tape malfunctioned. The next tape [#3] is just a series of groans.)

The meeting was adjourned at 10:59 P.M.



Irene J. Pendzick
Town Clerk

IJP:ch